

(Continued from page 1.)

date of its passage, and all laws and parts of laws inconsistent herewith are hereby repealed.

Approved this 2nd day of September, A. D. 1890.

KALAKAUA REX.

By THE KING:

C. N. SPENCER.

Minister of the Interior.

AN ACT

To EXTEND THE TIME FOR THE COMPLETION AND EQUIPMENT OF THE INTER-ISLAND SUBMARINE TELEGRAPH CABLE.

Be it Enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Be it Enacted that the time for the completion and equipments of the Inter-Island Submarine Electric Telegraph Cable, authorized by Chapter XIV. of the Session Laws of 1888 is hereby extended to J. Sherman Bartholomew, residing in Honolulu, H. I., his associates and assigns with all rights, privileges, and franchise in said Act contained, to the 31st day of July, 1892.

Approved this 2nd day of September, A. D. 1890.

KALAKAUA REX.

By THE KING:

C. N. SPENCER.

Minister of the Interior.

AN ACT

To PROVIDE FOR THE QUIETING OF TITLES, ESTATES AND INTERESTS IN REAL PROPERTY.

Be it Enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Action may be brought in the Supreme Court or in any of the Circuit Courts by any person, against another person, who claims adversely to the plaintiff an estate or interest in real property, for the purpose of determining such adverse claim.

SECTION 2. Any person may be made a defendant in such action who has, or claims an interest in the property adverse to the plaintiff, or who is a necessary party to a complete determination or settlement of the question involved therein.

SECTION 3. If at the time of the commencement of such action the property in question is in the possession of a tenant, the landlord may be joined as a party defendant.

SECTION 4. If in such action the defendant disclaim in his answer any interest or estate in the property or suffer judgment to be taken against him without answer, the plaintiff shall not recover costs.

SECTION 5. This Act shall take effect from the date of its passage.

Approved this 2nd day of September, A. D. 1890.

KALAKAUA REX.

By THE KING:

C. N. SPENCER.

Minister of the Interior.

AN ACT

To INCREASE THE DUTIES UPON COFFEE FROM FOREIGN COUNTRIES IMPORTED INTO THIS KINGDOM.

Be it Enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. There shall be levied, collected and paid upon all coffee of any foreign country imported into this Kingdom a duty of six cents a pound whether the same be ground or prepared coffee, or not.

SECTION 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3. This Act shall take effect and become law sixty days after the date of its approval.

Approved this 2nd day of September, A. D. 1890.

KALAKAUA REX.

By THE KING:

C. N. SPENCER.

Minister of the Interior.

Just Published

Tourists' Guide Through the Hawaiian Islands

PRICE 60 CENTS.

GAZETTE CO., HONOLULU, H. I.

By Authority



It has pleased His Majesty the King to appoint

DAVID DAYTON, ESQ.,

to be President of the Board of Health of this Kingdom, vice Dr. J. H. Kimball, resigned.

Iolani Palace, Sept. 5, 1890.

1338-11 58-31

Sale of Lease of Government Lands.

On WEDNESDAY, October 1st, 1890, at the front entrance of Aliioli Hale, will be sold at Public Auction, the Lease of that Tract of Land lying between Paauhau and Paalaea St., the same being portions of Onhi, Pakioa, Kalua and Paalaea 1 and 2, and containing 84.0 Acres or thereabouts.

Terms—Lease for ten years to date from April 10, 1891.

Upset Price—\$1,250 per annum, payable semi-annually in advance.

Also at the same time and place the Lease of all that Tract or Parcel of Land situate in Kaao, District of Hamakua, Island of Hawaii, more particularly described in Government Lease No. 227 to Marsden and Siemsen, and containing an area of 175 Acres.

Terms—Lease for ten years to date from April 10, 1891.

Upset Price—\$325 per annum, payable semi-annually in advance.

C. N. SPENCER.

Minister of the Interior.

Interior Office, August 26, 1890.

1338-11

The attention of the public is called to Section 7A and Section 7B Chapter 29 of the Session Laws of 1884, which are as follows:

SECTION 7A.—It shall be the duty of every person to report immediately to the nearest Executive Inspectors or Inspecting Officer, any animal on or about his own premises or the premises of another, which he shall have reason to believe to be affected with any infectious or contagious disease or distemper, under a penalty of not less than five nor more than one hundred dollars for each offense.

SECTION 7B.—Said Inspecting Officers shall have the power to enter upon any premises where they have reason to believe there is any animal affected with any infectious or contagious disease or distemper of a nature dangerous to the live stock of the country, and to cause any such animal to be placed in quarantine for such time as said officer may deem necessary; and shall have the power, with the approval of the majority of said Board, to cause any such animal to be destroyed.

W. T. MONSARRAT,

Executive Inspector.

J. H. BROWN,

PAUL R. LEINBERG, JR.,

Inspectors.

Honolulu, Aug. 21, 1890.

53 1387

Hawaiian Gazette

EST. MODUS IN REBUS.

TEN-PAGE EDITION.

TUESDAY, : SEPT. 9, 1890.

REP. KNUDSEN has invented a new way to prevent priest-rules. It is to subsidize Catholic schools.

MR. TURRILL has been removed from the position of Port Surveyor and his place filled by Capt. Tripp. The appointment will not be likely to confirm public confidence in the Cabinet.

REP. KANEALANI made a very fruitful suggestion Thursday in the House when he intimated that if the Finance Committee followed the dictates of prudence they would refuse Mr. Thurston any opportunity to answer the charges made against him in their report. He thought it not unlikely that the result of a fair inquiry would be an adoption by the House of Mr. Thurston's views, and a rejection of those of the Finance Committee.

DR. BULLS, the author of a very valuable and impartial history of Europe from 1815 to 1885, says in closing his work that no one who, like the author himself, is actively engaged in politics, will pretend that he is always able to do his political opponents justice. A touch of the same modesty would have become Nobles Muller and Macfarlane of the Finance Committee much better than their indignation and horror at a presumed imputation on their impartiality.

\$20,000 FOR ST. LOUIS COLLEGE.

An instance of the reckless way in which the House has got into the habit of appropriating money without making any sufficient inquiry—or any inquiry at all—into the grounds on which the money is desired, is illustrated by the appropriation of \$20,000 for St. Louis Friday. The item was not in the bill, but its insertion was moved by Rep. R. W. Wilcox. The motion provoked a lively discussion, which dealt with priest rule, fairness and unfairness in the expenditure of school funds, but nowhere

developed anything bearing directly on the propriety or necessity or even utility of appropriating this particular sum to St. Louis College. Anyone who really wished this item to pass ought to have told the House in the first place what sums had been given to the school in the past; what sums had been given to other independent schools; how many scholars St. Louis College had educated in comparison with the other independent schools; how much of the \$190,000 already appropriated for schools would by right go to St. Louis, etc., etc., and finally that the school needed the aid. If the result of all these various facts had shown that St. Louis College was justly entitled to a special appropriation of \$20,000, then the House would have been in a position to decide whether it could afford to insert that amount into a section of the Appropriation Bill which already contains more than the estimated revenue.

Not one of any of these facts was brought out in the course of the discussion, the House simply waiving all questions of mere information, while Rep. Knudsen even sounded a pean to the school for its modesty in not having asked for more.

Not one dollar ought to be given to the St. Louis College or to any other religious school, unless the Government gift is accompanied with the right of Government inspection. This is an indispensable condition to any sound use of the public money for private schools, and without it, such appropriations cannot be defended on principle. Nothing was said in the late discussion about the right of Government inspection, and we believe that under the terms of this appropriation, the Government will not be able to assert any such right. Even if private schools pursued none but public objects, our contention would still hold good, but it should not be forgotten that religious schools have other objects besides more secular education, and that those objects are not entitled to Government aid at all.

Nothing that has here been said should be construed as an objection to Government aid to St. Louis College. We believe in treating the schools of all denominations alike. The Government ought to be blind to religious differences. It ought to take no account of religion at all, except indeed so far as tenets may be professed which are hostile to society or to the State. It would be wiser to refuse all aid to private schools, and leave them to be supported entirely by private enterprise, which is amply capable of assuming the whole burden, but as long as the plan of Government aid is followed—and it does not seem likely to be abandoned—it should be distributed to all the denominational schools, with strict equity, in proportion to the respective needs, usefulness and efficiency.

THE PRESIDENT OF THE BOARD OF HEALTH.

On Friday the House virtually voted the President of the Board of Health out of office by passing a resolution requiring the Minister of the Interior to ask for his resignation. The resolution passed by a vote of thirty-four to ten, the Ministers voting with the majority. The Attorney-General was absent. Such a resolution as that of Friday is, we believe, unprecedented in this country. It is a distinct infringement upon the functions of the Executive, and as such should be condemned. The vote is undoubtedly the fruit of the skillful maneuvering of determined enemies of Dr. Kimball, who have succeeded in forcing the House into such a position that this large majority became almost a matter of course. The resolution purports merely to carry out the terms of a report adopted a few days since by the House which recommended that the President of the Board of Health should be a layman. Unfortunately, however, it has come as the culminating step in a long and bitter attack on Dr. Kimball. This attack has been made in connection with the Kalihii Hospital investigation, and the resignation of Dr. Lutz.

We will not pretend to pass any judgment on the merits of the Kalihii controversy, nor on those of the difficulties which too obviously subsist between Dr. Lutz and the Board of Health. It is much to be regretted that the change to a lay Presidency should have been mixed up with these other matters. The fact that it has been is very clear evidence of an animus existing in the minds of certain persons against the present President. As these matters have been gone into at such length they ought to have been pursued to the end, so that a thorough investigation might have revealed the real facts. No action ought to have been taken on the Presidency as long as this investigation was pending. We cannot help thinking, and we believe the community generally will think, that the action of the House has been hasty and ill advised, and that the Ministry have allowed themselves to be bulldozed when

they ought to have made a firm stand.

The demagogues of the House have simply used this controversy as so much political capital, and have done what they could to stir up a feeling of bitterness and hatred in connection with it. Rep. Bush made a fierce speech which was really directed to the crowd behind the rail, and there is little doubt that the audience of Hawaiians who were listening so eagerly, thought in some confused way that their rights and interests were staked on the vote. Yet not a single fact was stated which could lend even the faintest color to such an idea. Vague charges were preferred by Rep. Kalua and others against the President of the Board and against the whole Board, but there was no pretense of offering anything to substantiate these charges, and they remained, and will doubtless continue to remain, entirely in the air. Dr. Kimball is unquestionably unpopular with Hawaiians, but this unpopularity is something which attaches to the office and not the man. He possesses the confidence of the public, and it will not be forfeited by his removal.

In the foregoing observations, we must expressly disclaim any intention to express an opinion on the vexed question of the relation of Dr. Lutz to the Board, and on the matter of the lay presidency. As to the first, the public is not in possession of any facts; and as to the second, we have come to perceive that there is great force in the argument that the President of the Board should be a layman.

INDUSTRIAL HOME.

Some Particulars of an Institution Where Hawaiian Girls are to be Trained.

For some time past the Hawaiian Mission Children's Society has been talking over the advisability of starting an Industrial Home for girls, where they could obtain advantages not to be had at a boarding school. The result is that the Bradley premises out on Beretania street have been secured and fitted up for the above purpose. Mrs. Stratford will be the matron and Miss Benner the instructress in dressmaking. For the present only six girls will be admitted. They will be taught all the branches of housekeeping and also dressmaking. They will take in from that, the bare cost of their food will be taken out, and the rest given to the girls. Their friends will be allowed to visit them, and at certain times they will be allowed to go out. The running expenses will be paid by the Mission Society. It is intended to have twelve girls in the home after a time. The idea is a capital one, and Hawaiian girls should jump at the opportunity to enter such a place.

The Third Warning Voice.

A pamphlet entitled "The Third Warning Voice," addressed to Hon. C. J. McCarthy, and purporting to be the work of Robert Hoapili Baker, was distributed among the members of the House last week. It is more than suspected that Robert is being used as a blind, as the ear marks of a much more expensive and higher titled official are blazed upon every page.

The gist of the argument is that the Legislature should provide for an army of 521 men and ten staff officers, at a cost of \$345,541. The salaries of the staff officers are to amount to \$45,680.

The "English" of the pamphlet is such that if the author will only contribute regularly to a funny paper his fortune will be made. We understand that a syndicate is being formed to "corral" the author and farm him out to "Texas Sittings" and "Punch."

Ball on the U. S. S. Nipsic.

Capt. McCurley and officers of the U. S. S. Nipsic gave a farewell ball on board the vessel Wednesday evening, which was a most delightful affair throughout. The decorations were superb and won the admiration of all present. The invited guests were conveyed from the landing in the ship's boats, and were warmly welcomed by Capt. McCurley and his officers and most agreeably entertained during their stay. His Majesty the King, members of the Cabinet, diplomatic and consular corps, and a large number of prominent citizens were among those present. The Hawaiian band played for dancing, which was carried on with great spirit until a late hour. There was a bountiful supply of most delicious refreshments. The early departure of the Nipsic is regretted, as her officers have become familiar figures in the community, and will be much missed.

There is, says an exchange, a great demand for metal furniture in Australia, not only for household use, but in places of business, school houses, etc. The demand is caused by the ravages of the white ant, which eats all kinds of wood, boring the doors and rafters of buildings until they are honey-combed, as well as all manner of furniture.

From the Friend it is learned that between April 11th and 12th, an immense snow fall occurred in Mars. By Jupiter! The Friend does not give the depth of the fall. It may have occurred on the 1st of April.

CORRESPONDENCE.

We do not hold ourselves responsible for the statements made, or opinions expressed by our correspondents.

Threatened Amalgamation of the Legislative and Executive Branches of Government.

MR. EDITOR: In the Legislative proceedings of Friday last, it is reported that that body passed the following resolution: "That the Minister of the Interior be requested to request the President of the Board of Health to resign, immediately," which was approved by a vote of 34 to 10. In obedience to this most extraordinary mandate, the Minister requested Dr. Kimball to resign, which he declined to do until some reasons were assigned for it. It is not uncommon for a Minister to demand the resignation of a subordinate officer in his department, when he is dissatisfied with him or finds that he is incompetent to perform the duties required, and it is generally accompanied with the reasons that compelled him to take such action.

But this is probably the first instance on record where the Legislature has peremptorily demanded the dismissal of the head of a bureau, without cause assigned, whose ability to fill the position well has been generally acknowledged, and whose professional duties have been creditably performed. Neither the British Parliament nor the American Congress has ever undertaken to run the executive branch of the Government in such an unlawful manner. Their Constitution, and ours also, provides that the three branches of the government "SHALL ALWAYS BE PRESERVED DISTINCT." They consider it to be their duty to make laws, not to run the Government.

If such proceedings are to become the established precedent in Hawaii, it may follow that the next Legislature will demand the dismissal of one or all of the justices of the Supreme Court, or even the abdication of the King, on the ground that it elected him, and that it is "the supreme power in the land!" To say the least, this action of the Legislature is most extraordinary, unwise, illegal and tending to unsettle, if not destroy, good government in Hawaii. As a precedent, it is sure to make mischief. Vox Populi.

Mr. Knudsen Speaks.

MR. EDITOR: It is good to be smart, but better to be correct.

Rep. Knudsen's way to prevent bigotry is not "to subsidize Catholic schools," but it is "to cease discriminating against St. Louis school and other good schools," as long as they are open at any time for the inspection of the Government school inspector, and second, as long as no religious instruction is given in school hours.

Rep. Knudsen would vote for subsidizing reformed schools, or Puritan schools, or any really good schools, if this nation and this Government were Catholic.

Rep. Knudsen thinks that if you wish to root out bigotry in others, you must begin the operation on yourself, Mr. Editor. People often see the mote in their brother's eye, and are unable to see the beam in their own eye.

VALDEMAR KNUDSEN.

Honolulu, Sept. 6.

Spoils.

MR. EDITOR: I am credibly informed that one of the members of the Legislature made the statement last week that "Dr. Kimball voted for Young, by —, and he's got to go." "How do you know he did?" was asked. "Well, he took one of each ticket; we couldn't see which he voted, but when he came out he tore up one and threw it down, and we picked up the pieces and stuck 'em together, and it was Berger's, and we showed it to the Executive Committee, by —."

This appears to be a fair sample of the calibre of those who propose to usurp executive functions and revolutionize another Constitution into existence.

ANTI-SPOILS.

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